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EXAMINER	
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ART UNIT	PAPER NUMBER
3629	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/664,486	PETITO ET AL.	
	Examiner	Art Unit	
	KIMBERLY EVANS	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 March 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

1. This action is in reply to the response filed on March 1, 2010.

2. Claim 17 has been amended.

3. Claims 1-20 are currently pending and have been examined.

4. The Examiner has carefully reviewed the Applicants response and has determined that the rejection stands and is resubmitted below addressing the claims as modified by said amendments.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

(a) Determining the scope and contents of the prior art.

(b) Ascertaining the differences between the prior art and the claims at issue.

(c) Resolving the level of ordinary skill in the pertinent art.

(d) Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raveis, JR US Patent Application Publication US2001/0005829A1; in view of Hibbert et al., US Patent Application Publication No US2006/0074793A1.

8. As per Claims 1 and 7,

Raveis as shown discloses the following limitations:

- *a network accessible by a plurality of users involved in the property transaction;* (see at least Figures 2-7, Abstract: "….managing customer relationships throughout a real estate transaction cycle over a distributed computer network…." and "…buyers and sellers of real estate in a computerized database…"
- *a database, accessible via said network, said database allowing controlled access by the plurality of users and storing data related to said client*, (see at least Figures 2-7, Abstract: "…providing customers with secure access to the computerized database….")
- *a web-based user interface providing access to said database,* (see at least Figures 2-7, paragraph 18: "…during the real estate transaction cycle and providing customers with secure access to the computerized database…"; paragraph 33: "…In the preferred embodiment, the computer network 22 is the Internet. The preferred method of accessing information on the Internet is the World Wide Web, because navigation is intuitive and does not require technical knowledge…")

Raveis teaches all of the limitations described above. Raveis does not distinctly disclose the following limitations, but Hibbert however, as shown discloses:

- *said database further including at least a first table having embedded rules wherein the embedded rules define a work-flow for the property transaction* (see at Figures 4-

7, paragraph 31: "…transaction management system 50 comprises work flow management engine 52 and notification module 53 that, in conjunction, are operative to facilitate coordination of users and tasks associated with financial transactions. Work flow management engine 52 supports a plurality of work flows each directed to different elements of various types of transactions (e.g., whole loan purchasing, lending, whole loan sales, whole loan securitizations, etc.). … each work flow comprises a set of predefined transaction events and associated actions that work flow management engine 52 executes in response. Work flow management engine 52 is operative to monitor the status of transactions in relation to the set of predefined transaction events associated with a work flow…"; paragraph 68: "…the application includes a set of quality control and data integrity filters that analyze a variety of loan data fields, retrieve data from database sources and score data inconsistencies and variances based on a set of rules derived from experiences with prior fraud cases. .."; paragraph 72: "…Automated underwriting system 35 hosts a XML-based underwriting application service that segregates a pool of loans into predefined categories based on a set of underwriting guidelines implemented by a rule set…")

- *and at least a second table defining at least one attribute of a display of information associated with said property transaction*
- *and at least a second table defining attributes for the display of information in said database*

(see at least Figures 4-7, paragraph 32: "…Transaction management system 50 includes web server or other functionality allowing for the generation of HTML pages in response to requests transmitted from client nodes … … transaction management system 50 presents a transaction or deal home page containing links to documents and data associated with the transaction, as well as to transaction-related services and other functionality… transaction management system 50 is further operative to retrieve data from loan tracking system 70 and dynamically create and transmit

pages (e.g., a purchase sheet) as users navigate to various pages associated with the transaction…"; paragraph 51: "…In addition, document management system 60 also supports searches by key word, document type, modification date, and any other available file attribute. In addition, document management system 60 supports URL-based access to files and documents stored therein, allowing users to email hypertext links to files and documents…")

- *a user interface responsive to information stored in said second table, that provides access to said database such that the appearance of said user interface is dynamically controlled as a function of the attributes defined in the second table*
- *wherein said user interface is dynamically controlled as a function of the at least one attribute defined in the second table*.

  (see at least Figure 4, paragraph 51: "…document management system 60 also supports searches by key word, document type, modification date, and any other available file attribute…"; Figure 7, paragraph 58: "…The attributes associated with a sample record include pointers to loan records corresponding to selected loans and the services performed on the sample. A loan record includes data fields defining parameters associated with a loan…")

Raveis discloses a system and method of managing customer relationships throughout a real estate transaction cycle over a distributed computer network (Abstract) to include but not limited to receiving and storing real estate related documents and mortgage data in the database for subsequent review and retrieval by a customer via a check list as it relates to the phases of the real estate transaction cycle (para 19). Hibbert discloses a transaction management system 50 (comprising a work flow management engine) which allows for the generation of HTML pages in response to requests transmitted from client nodes. Since the work flow management engine supports a plurality of work flows each directed to different elements of various types of transactions, and is operative to monitor

the status of transactions in relation to the set of predefined transaction events associated with a work flow, the Examiner's position is that the work flow management engine characterizes "embedded rules". While the transaction management system (of Hibbert) which allows for the generation of HTML pages in response to requests transmitted from client nodes ((e.g., a purchase sheet- Figure 7), it is the Examiner's position that the generation of HTML pages, describes at least a second table based on attributes selected by a user. In addition, Hibbert discloses in Figure 4, an Event Log which describes an overview of work flow; Figures 4-7 identify in the left column links to various tables, files, pages, etc as it relates to the automated processing of a property transaction. Hibbert further discloses a fraud check system and an automated underwriting system in which the applications include a set of rules. Hibbert also discloses a document management system which supports URL-based access to files and management of documents with pointers to the document stored in the system. Moreover, the contents of the database are considered non-functional descriptive language and thus are not given patentable weight because they are not functionally involved in the steps recited nor do they alter the recited structural elements. The USPTO need not give patentable weight to descriptive material absent a new and unobvious functional relationship between the descriptive material and the substrate. (See *In re Ngai, 367 F.3d 1336, 1338, 70 USPQ2d 1862, 1863064 (Fed. Cir. 2004))*.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system and method of Raveis with the method, apparatus and systems facilitating and enhancing processes associated with financial transactions of Hibbert because it would provide an efficient process for automation of various deal management, collateral analysis and processes associated with financial transactions to include but not limited to origination, purchase and sale of secured and unsecured assets. Furthermore, it is old and well known in the art of computer science that

workflows are used to define a pre-defined set of rules and that computers are used for automating these workflows.

9. As per Claim 2,

Raveis, and Hibbert disclose all of the above limitations, Raveis further discloses,

- *the property transaction includes legal services* (see at least Raveis, paragraph 88: "…notarizing legal documents and Attorney's Fees for legal services provided to the lender may also be charged…")

10. As per Claim 3,

Raveis, and Hibbert disclose all of the above limitations. Raveis further discloses,

- *the legal services provided are associated with a closing of a real property transaction, and includes services rendered both prior to and after the closing of the real property transaction* (see at least Raveis, paragraph 88: "…buyer's and seller's attorney may also appear as a closing or settlement cost…"; paragraph 93: "…the activity file documents and records all the member's real estate transactions, including closing documents; records of home-related purchases, accounting of expenditures and savings garnered as a result of participation...")

11. As per Claim 4,

Raveis, and Hibbert disclose all of the above limitations, Hibbert further discloses,

- *web-based user interface is generated in response to code operating on a server on the network, by taking the data in the second table and assembling HTML layout and object information* (see at least paragraph 32: "…Transaction management system 50 includes web server or other functionality allowing for the generation of HTML pages in response to requests transmitted from client nodes. In one embodiment, transaction management system 50 provides page-based interfaces allowing access to data and

functionality from any network access device that includes a browser or other suitable software…")

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system and method of Raveis with the transaction management system of Hibbert because it is an efficient means for providing links to documents and data associated with a transaction.

12. As per Claims 5 and 8,

Raveis, and Hibbert disclose all of the above limitations, Hibbert further discloses,

- *web-based user interface is generated in response to software operating on a server on the network, by taking the data in the second table and generating an XML result set and an XSL translation sheet, and where software operating on a user computer loads the XSL translation sheet and process the XML result set to produce browser interpretable HTML code to display the interface at the user computer.* (see at least paragraph 46: "…In one embodiment, presentation engine 57, in response to a request for a report, generates and transmits an XML request to network services gateway 55 which extracts requisite loan data from loan tracking system 70 and transmits an XML response. Presentation engine 57 then generates the report using the data in the XML response...."; paragraph 63: "…Network services gateway 55 relies on secure HTTP communications and XML technologies for request and response formats. In one embodiment, network services gateway 55 maintains Document Type Definitions (DTDS) and/or schemas that define the format of the XML request and XML response…)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system and method of Raveis with the transaction management system of Hibbert because the Network services gateway is an efficient means for validating responses from external services against the Document Type definitions.

13. As per Claims 6 and 9,

Raveis, and Hibbert disclose all of the above limitations, Raveis further discloses:

- *web-based user interface includes navigational information and is dynamically generated in response to information that includes identification of the user.* (see at least paragraph 34: "…the computer network 22 is the Internet…accessing information on the Internet is the World Wide Web, because navigation is intuitive…"; Abstract: "…The method includes the steps of receiving and storing data relating to a plurality of customers including buyers and sellers of real estate in a computerized database…")

14. As per Claims 10 and 11,

Raveis, and Hibbert disclose all of the above limitations, Hibbert further discloses:

- *wherein the layout of the user interface is a record-set comprising information about each field of the interface*
- *the record-set includes information about the data source of a field of the user interface* (see at least Figures 12a-12d, paragraph 149: "…The adverse selection query also allows for selection of text fields, such as Property Type, Documentation Type, Origination Channel, Product Type, etc. (see Fig 12). Text fields can either be free-form or code values. As to code values, the query screen provides a pull-down menu facilitating selection of values for each text field based upon a predefined list of codes. In addition, the query interface allows for selection of multiple codes within each text field. …")

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system and method of Raveis with the transaction management system of Hibbert because it is an efficient means for providing information relative to the data fields and operator descriptions which can be queried in the database.

15. As per Claims 12 - 15,

Raveis, and Hibbert disclose all of the above limitations, the combination of Raveis and Hibbert does not distinctly disclose the following limitations, but Almeida however as shown discloses,*:*

- *the record-set includes a stored procedure associated with the field* (see at least Figure 19, paragraph 153: "…we have a function called "doTranslate(sPhraseCode,sChosenLan- guage)" (line # 3). It has two parameters: sPhraseCode and sChosenLanguage. The first parameter, sPhraseCode receives a code reference value to be used to search the column Phrase_Code of the languageTable (FIG. 16). The second parameter, sChosenLanguage will be an encoded information and it is the user's selected language (the value "POR" at the variable sLanguage). Now the function doTranslate( ) will open connections (database and record set) then perform a query at the languageTable (FIG. 16). Next, it retrieves a value from column POR--the user's selected language stored at the variable sLanguage. In our example the value at the Query variable is "SELECT POR FROM languageTable WHERE Phrase_Code=`ENGL`" (line # 16 and line # 17). The last line is return(languageRS(sChosenLanguage)) (line # 20) and it returns the retrieved value from the data table. ….";)
- *the record-set includes an array*(see at least Figure 20: "…FIG. 20 shows a database table with two rows and four columns: ID, Product_ID, Language and Product_Title. The ID column holds the table ID's for each row. The Product_ID column holds the ID for each product…")
- *the record-set includes an object oriented structure* (see at least Figure 19, paragraph 40: "…FIG. 19 illustrates an ASP program to be used to translate web page database text objects…";
- *the record-set includes data to control the information displayed in response to data identifying a transaction file that a user is seeking access to* (see at least Figure 24,

paragraph 172: "…Before.inc 2480 is where database connection, record set and variables are created. Indexes.inc 2482 create web page links and they will be used to select a new a web page--main_page.inc 2481. At the end of the page, all page's objects are released--after.inc 2483…";)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system and method of Raveis and the transaction management system of Hibbert with the method for creating and maintaining worldwide e-commerce of Almeida because it is an efficient means for providing the ability to exchange interfaces uploaded by a user or allow the user to select one provided by a host computer.

16. As per Claim 16,

Raveis, and Hibbert disclose all of the above limitations, Raveis further discloses:

- *the network hosts a database that is employed to provide system access and automated processing of transactions to users from a plurality of organizations* (see at least Abstract: "…and providing customers with secure access to the computerized database to facilitate monitoring of the active order data, the completed order data and the scheduling data…"; paragraph 18:"…the method includes the steps of receiving and storing data relating to a plurality of customers including buyers and sellers of real estate in a computerized database and paragraph 31: "…environment 10 includes server 12, which communicates with a distributed computer network 22…server 12 hosts multiple websites, houses multiple databases….)

17. As per Claim 17,

Raveis, and Hibbert disclose all of the above limitations, Raveis further discloses,

- *providing a network accessible by a plurality of users involved in the transaction;* (see at least paragraph 16: "…it would be beneficial to provide a system and method which

utilizes a distributed computing network to facilitate managing customer relationships and the information appertaining thereto…"; paragraph 18: "…The method includes the steps of receiving and storing data relating to a plurality of customers including buyers and sellers of real estate in a computerized database..")

- *creating a database, accessible via the network, the database allowing controlled access by the plurality of users and storing data related to the transaction,* (see at least paragraph 55: "…Document management system 60 is also operative to enforce access privileges associated with different user groups and roles, such as providing read and/or write access to specific deal folders or sub-folders thereof to authenticated and privileged users….")
- *the database further including at least a first table having embedded rules wherein the embedded rules define a work-flow for the transaction (*see at least Figure 1: "…the application includes a set of quality control and data integrity filters that analyze a variety of loan data fields, retrieve data from database sources and score data inconsistencies and variances based on a set of rules derived from experiences with prior fraud cases. …")
- *and at least a second table defining the attributes of a display of information associated with said transaction;* (see at least Figures 4-7, paragraph 18: "…FIG. 6 is a table illustrating an arrangement of deal level and document folders according to an embodiment of the present invention…"; paragraph 32: "…Transaction management system 50 includes web server or other functionality allowing for the generation of HTML pages in response to requests transmitted from client nodes … … transaction management system 50 presents a transaction or deal home page containing links to documents and data associated with the transaction, as well as to transaction-related services and other functionality… transaction management system 50 is further operative to retrieve data from loan tracking system 70 and dynamically create and transmit pages (e.g., a purchase sheet) as users navigate to various pages associated

with the transaction…"; paragraph 51: "…In addition, document management system 60 also supports searches by key word, document type, modification date, and any other available file attribute. In addition, document management system 60 supports URL-based access to files and documents stored therein, allowing users to email hypertext links to files and documents…")

- *followinq the work-flow for the transaction defined by at least the embedded rules in the first table;*(see at least paragraph 80: "…Upon verification that the assignment is complete, work flow management engine 52 triggers notification module 53 to generate and transmit a notification to the newly-assigned tape analyst. … In one embodiment, the notification includes a link to the deal home page corresponding to the transaction…")
- *providing access to the database for the plurality of users, via a user interface* (see at least paragraph 18: "…during the real estate transaction cycle and providing customers with secure access to the computerized database…")
- *dynamically controlling the user interface as a function of data stored in the second table.*(see at least paragraph 32: "…transaction management system 50 is further operative to retrieve data from loan tracking system 70 and dynamically create and transmit pages (e.g., a purchase sheet) as users navigate to various pages associated with the transaction…")

18. As per Claims 18 and 19,

Raveis, and Hibbert disclose all of the above limitations, Raveis further discloses:

- *receiving a request from a user computer for display of information; and in response to the request, generating a user interface card having the requested information displayed therein,* (see at least paragraph 7: "…The Internet uses a client-server architecture which is a network-based system that uses client software running on one computer to request a specific service, and uses corresponding server software

running on a second computer to provide access to a shared resource managed by the second computer. The second computer then connects to the Internet, which provides the specific service requested…")

- *where the layout and the data depicted in the card are, at least partially, retrieved from the second table*
- *controlling the information displayed as a function of the user making the request*

(see at least Figure 2, paragraph 101: "…Referring once again to FIG. 2, Web reporting section 88 of Web site 80 provides a user interface …"; Figure 5, and section IV: Web Reporting Section, paragraph 102: "…an exemplary web page relating to a vendor…server 12 displays the vendor information…contains a link to policy information associated with the vendor….contains several user selectable fields….website of the vendor…"; paragraph 103: "...further links may be provided from the services sold screen to vendors to facilitate providing requests for proposals…")

19. As per Claim 20,

Raveis, and Hibbert disclose all of the above limitations, Raveis further discloses:

- *controlling the information displayed as a function of the transaction* (see at least paragraph 32: "…an Internet server which controls and monitors access to network servers…"; Figure 5 and paragraph 103: "…a move consultant would refer to the services sold screen 500 when discussing the management of a contacts need for goods and services...alternatively a contact may directly access the services sold screen to manage their affairs....")

Response to Arguments

20. Applicant's arguments with respect to independent claim 1, 7, and amended claim 17 have been considered but are moot in view of the new ground(s) of rejection. Applicant's

arguments will be addressed herein in the order in which they appear in the response filed March 1, 2010.

21. With regard to limitations of applicant's arguments beginning on page 6 of the Remarks, applicant broadly states that "…Hibbert, either alone or in combination with Raveis also fails to teach the limitations in claims 1, 7 or 17…". In response, all of the limitations which Applicant disputes as missing in the applied references is fully discloses or obvious in view of the collective teachings of Raveis and Hibbert and based on the logic of one ordinarily skilled in the art. Furthermore, while claim 1 appears to be a more narrow scope than claim 7, the independent system claims 1 and 7 recite very similar limitations and therefore the rejections for claims 1 and 7 limitations are combined in an effort to expedite prosecution of the application. Amended independent method claim 17 while still similar to the system claims 1 and 7, has been rejected separately from claims 1 and 7. Detailed explanations are given in the preceding sections of the present Office Action.

Conclusion

22. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office Action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

23. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period fro reply expire later than SIX MONTHS from the date of this final action.

24. Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Kimberly L. Evans** whose telephone number is **571.270.3929.** The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **John Weiss** can be reached at **571.272.6812.**

25. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://portal.uspto.gov/external/portal/pair <http://pair-direct.uspto.gov >. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free). Any response to this action should be mailed to: **Commissioner of Patents and Trademarks**, P.O. Box 1450, Alexandria, VA 22313-1450 or faxed to **571-273-8300**. Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window**: Randolph Building 401 Dulany Street, Alexandria, VA 22314.

/KIMBERLY EVANS/

Examiner, Art Unit 3629

/JOHN G. WEISS/

Supervisory Patent Examiner, Art Unit 3629